

CALFRESH REQUEST FOR POLICY INTERPRETATION**PI# 18-21**

INSTRUCTIONS: Complete items 1 - 10 on the form. Use a separate form for each policy interpretation request. If additional space is needed, please use the second page. Retain a copy for your records and submit via email to CalFresh-PI@dss.ca.gov.

Please note: the policy interpretation provided is based on the unique set of facts presented and should not be assumed to apply in all scenarios.

1. RESPONSE NEEDED DUE TO: <input checked="" type="checkbox"/> Policy/Regulation Interpretation <input type="checkbox"/> QC <input type="checkbox"/> Other:	5. DATE OF REQUEST: 02/22/2018	NEED RESPONSE BY: 03/05/2018
2. REQUESTOR NAME:	6. COUNTY/ORGANIZATION: Riverside County	
3. PHONE NO.:	EMAIL:	
4. REGULATION CITE(S): 63-502.33, 63-502.331(e), 63-300.5(e)(7)	7. SUBJECT: Excess Medical Deduction 8. REFERENCES: <i>(Include ACL/ACIN, court cases, etc. in references)</i> NOTE: All requests must have a regulation cite(s) and/or a reference(s). ACL 17-35; PI dated 07/27/2012 subject Excess Medical Deductions	
9. QUESTION: (INCLUDE SCENARIO IF NEEDED FOR CLARITY): Our customer receives a "Retiree Medical Grant" in the amount of \$227.50 which is subtracted from the customer's Medical Health Plan cost of \$754.58. The customer pays the net of \$527.08. The customer claims that he paid into the retiree medical grant monthly during his active employment. Is the customer's allowable medical expense \$527.08 or \$754.58?		

10. REQUESTOR'S PROPOSED ANSWER:

The customer's allowable medical expense is the amount the customer actually spent therefore, it is \$527.08.

The employer website regarding the retiree medical grant states that the grant is not vested nor is it guaranteed. The information provided states the grant is reduced with the receipt of Medicare Premium Payments. A copy of the customer's health care expense is attached and information regarding the Retirement Medical Grant is found at <http://www.ocgov.com/gov/hr/eb/overview/rmdip.asp>.

11. STATE POLICY RESPONSE (CFPB USE ONLY):

A grant is a gift and, as stated in the document sent with this CF 24, is not a vested or guaranteed payment. Since the \$227.50 is a grant which the claimant is allowed to use to offset their medical health plan, the only excess medical deduction would be the actual expense of \$527.08. Therefore, CDSS concurs with the county's proposed answer.

FOR CDSS USE

DATE RECEIVED:

February 26, 2018

DATE RESPONDED TO COUNTY/ALJ:

March 1, 2018 (WEB)